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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Francois Schutze et al.

Application No.: 10/532,114

Filing Date: June 23, 2006

Title: PHARMACEUTICAL COMPOSITION  
COMBINING TENATOPRAZOLE AND  
A HISTAMINE H2-RECEPTOR  
ANTAGONIST



Group Art Unit: 1614

Examiner: PHYLLIS G SPIVACK

Confirmation No.: 9051

SECOND  
INFORMATION DISCLOSURE STATEMENT  
TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a Information Disclosure Statement (IDS) and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☐ The fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☒ A statement under 37 C.F.R. § 1.97(e), and the fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☒ Charge \$180.00 to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date 12 April 2007

By: Melissa M. Hayworth  
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For: PHARMACEUTICAL COMPOSITION )  
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) Group Art Unit: 1614

) Examiner: PHYLLIS G SPIVACK

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**COPENDING INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56 and the Examiner's request in the Office Action dated 11 September 2006, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed. However, copies of the listed U.S. patents and U.S. patent application publications are not enclosed since it is no longer required.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed.

A fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) is enclosed.

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To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

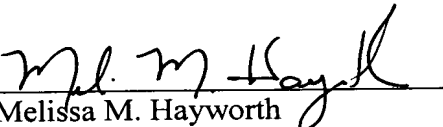
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. § 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No.02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: April 12, 2007

By:

  
Melissa M. Hayworth  
Registration No. 45,774

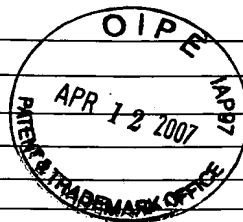
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 1

Application Number	10/532,114
Filing Date	June 23, 2006
First Named Inventor	Francois Schutze et al.
Examiner Name	PHYLLIS G SPIVACK
Attorney Docket No.	1032013-000119

**U.S. PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	7,034,038		Cohen et al.	04-25-2006
	2006-0194832	A1	Cohen et al.	08-31-2006
	2007-0066659	A1	Schutze et al.	03-22-2007
	2006-0287284	A1	Schutze et al.	12-21-2006

**FOREIGN PATENT DOCUMENTS**

Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
					Translation	Partial Translation	Eng. Lang. Summary	Search Report	IPER	Abstract	Cited in Spec

**NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	U.S. Serial No. 10/561,844 "Monohydrated Sodium Salt of S-Tenatoprazole and the Use Thereof in Therapy", filed December 22, 2005, attorney docket no. 1032013-000133.

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.